

SUMMARY REPORT DIGEST-
COMPLAINT REGISTER INVESTIGATION NO.:
CHICAGO POLICE DEPARTMENT

311221

DATE OF REPORT (DAY-MO.-YEAR)
09 June 2006

To be used in all cases that are to be classified as either EXONERATED, UNFOUNDED, NOT SUSTAINED cases where the Disciplinary Recommendation does not exceed FIVE (5) DAYS SUSPENSION.

SUBMIT ORIGINAL AND 3 COPIES IF ASSIGNED TO SAME UNIT AS ACCUSED.
SUBMIT ORIGINAL AND 4 COPIES IF NOT ASSIGNED TO SAME UNIT AS ACCUSED.

TO: SUPERINTENDENT OF POLICE
ATTENTION [x] ADMINISTRATOR IN CHARGE, OFFICE OF PROFESSIONAL STANDARDS
[] ASSISTANT DEPUTY SUPERINTENDENT, INTERNAL AFFAIRS DIVISION

| | | | | | | | | |
|-------------------------------------------------|---------------------------------------------|-------------------------|-------------------------------------------|--------------------------------------------|------------------------------------------------------------|--------------------------------|-----------------------------|----------------------------|
| FROM - INVESTIGATOR'S NAME KUYKENDOLL, Anita | | | | RANK INV | STAR NO. 226 | SOCIAL SEC. NO. XXX-X-XXXX | EMPLOYEE NO. 2 - Uniq... | UNIT ASSIGN. 113 |
| ADDRESS OF INCIDENT 101... N. Lavergne | | | | DATE OF INCIDENT - TIME 23 Jan. 06 2220 | | BEAT OF INCIDENT 1531 | | LOCATION CODE 1... |
| ACCUSED | NAME 1. HUERTAS, Carlos | | | RANK P.O. | STAR NO. 19394 | SOCIAL SEC. NO. XXX-XX-XXXX | EMPLOYEE NO. 2 - Uniq... | UNIT ASSIGN. 015 |
| | 2. | | | | | XXX-XX-XXXX | | |
| | SEX/RACE 1. M/H | D.O.B. 1... Sept. 74 | DATE OF APPOINTMENT 27 July 98 | | DUTY STATUS (TIME OF INCIDENT) [X] ON DUTY [] OFF DUTY | | [X] SWORN [] CIVILIAN | PHYS. COND. CODE 01 |
| | 2. | | | | | | [] SWORN [] CIVILIAN | |
| | IF APPLICABLE - DATE ARRESTED/ESTATED 1. | | | CHARGES | | COURT BRANCH | DISPOSITION & DATE | |
| 2. | | | | | | | | |
| COMPLAINANT | NAME 1 - Personal info al info | | ADDRESS 1 - Personal info | | CITY STATE Chicago, IL. | TELEPHONE 1 - Personal info | SEX/RACE M/B | D.O.B./AGE 1... July 66 |
| | | | | | | | | PHYS. COND. CODE |
| VICTIMS | NAME | | ADDRESS** | | CITY STATE | TELEPHONE | SEX/RACE | D.O.B./AGE |
| | | | | | | | | PHYS. COND. CODE |
| WITNESSES | NAME PO BOGGAN, Kimberly | | ADDRESS** Star# 8969, Emp# 2 - Uniq... | | CITY STATE Unit: 015 | TELEPHONE | SEX/RACE F/B | D.O.B./AGE 2... Jul. 69 |
| | | | | | | | | PHYS. COND. CODE |

[] SEE ATTACHED SHEET FOR ADDITIONAL ACCUSED, COMPLAINANTS, VICTIMS, WITNESSES.

ALLEGATIONS

2 - Uniqu 1 - Personal I... initiated his complaint by letter which was registered at the Office of Professional Standards on 15 Febru 2006, at 1119 hours, by Civilian Lisa Tousant, Employee# 1 - Pers...

2 - Uniqu 1 - Personal I... alleged that on 23 January 2006, at approximately 2220 hours, in the vicinity of 101... N. Lavergne, Office Carlos Huertas: 1. Placed and pressed his knee to his neck while handcuffing him, 2. Kicked him on the face several time 3. Placed his foot on his throat, 4. Stood on his chest, and 5. Falsely charged him with possession of drugs.

I.A.D. LOCATION CODES*

01 Food Sales/Restaurant
02 Tavern/Liquor Store
03 Other Business Establishment
04 Police Building
05 Lockup Facility
06 Police Maintenance Facility
07 CPD Automotive Pound Facility
08 Other Police Property
09 Police Communications System
10 Court Room

11 Public Transportation Veh./Facility
12 Park District Property
13 Airport
14 Public Property - Other
15 Other Private Premise
16 Expressway/Interstate System
17 Public Way - Other
18 Waterway, Incl. Park District
19 Private Residence

I.A.D. PHYSICAL CONDITION CODES

01 No Visible Injury - Apparently Normal
02 No Visible Injury - Under Influence
03 Injured, Not Hospitalized
04 Injured, Not Hospitalized - Under Influence
05 Injured, Hospitalized
06 Injured, Hospitalized - Under Influence
07 Injured, Refused Medical Aid
08 Injured, Refused Medical Aid - Under Influence
09 Deceased
10 Deceased - Under Influence

* IF CPD MEMBER, LIST RANK, STAR, SOCIAL SECURITY, EMPLOYEE NOS. IN ADDRESS BOX, PAX/BELL IN TELEPHONE BOX.

Briefly summarize the investigation describing your efforts to prove or disprove the allegation(s). Indicate whether witnesses or evidence support or do support the allegations(s).
In sustained cases ONLY, copies of the accused member's Summary of Previous Disciplinary Actions and Record of Previous Complimentary History v be included as attachments.

This matter involves arrestee, **2 - Unique 1 - Personal ...** alleging that he was physically mistreated when he was falsely arrested f drug possession.

The investigation was conducted in the following manner.

The complainant, **2 - Unique 1 - Personal ...** initially sent a letter and subsequently gave an in-person interview while incarcerated Cook County Jail, which contains the allegations as specified in the "allegations section" of this summary report digest. **1 - Personal ...** said that he sustained swelling and pain to his face, but sought no medical attention. He added that he was unable to file his complaint sooner because he was being treated for mental health reasons at Cermak Medical Center. **1 - Personal ...** named the accused as PO Carlos Huertas. **1 - Personal ...** stated that the drugs recovered in the area did not belong him. (Att# 2 & 10)

The arrest report of **2 - Unique 1 - Personal ...** indicates that he was charged with Possession of Heroin and Cocaine, and Manufacturing/Delivery of Heroin by Officers Carlos Huertas and Kimberly Boggins. The officers reported seeing **1 - Personal ...** engage in suspect narcotic transactions with co-arrestee **2 - Unique Identifiers** in the vicinity of 10th N Lawler. The officers reported that that **1 - Personal ...** fled and was apprehended at 10th N. Lavergne without incident. The Possession of Controll Substance case report prepared purports the same set of facts as in the arrest reports. (att# 4, 8 & 13)

Mugshot photographs taken of **1 - Personal ...** following his arrest depict no visible injury to his face. (Att# 5-7)

Accused Officer Carlos Huertas submitted a report and denied that allegations made against him. Officer Huertas stated after a brief foot chase that he and his partner, Officer Boggan placed **1 - Personal ...** into custody without incident. (Att# 20)

Officer Kimberly Boggan submitted a report which supports her partner's accounting of the incident. (Att# 21)

INVESTIGATIVE REPORTS-
SUPPORTING ALLEGATION
LIST ATTACHMENT NUMBERS:

2, 10

INVESTIGATIVE REPORTS-
SUPPORTING ACCUSED MEMBER(S)
LIST ATTACHMENT NUMBERS:

20 & 21

PHYSICAL EVIDENCE
LIST ATTACHMENT NUMBERS:

5

TOTAL NUMBER OF ATTACHMENTS
SUBMITTED WITH THIS FILE:

22

Summarize the findings and recommendations. Rule violations will be cited by number only. One overall recommendation for Disciplinary Action will be made by the investigator. The recommendation will be for ALL sustained findings; recommendations will NOT be made for each sustained allegation. Example: 1. Violation noted, no disciplinary action warranted. 2. That the accused member be reprimanded. 3. That the accused member be suspended for days (not to exceed 5 days).

FINDINGS:

Accused: **PO Carlos Huertas**

Allegations # 1. - 5. **Unfounded**

APPROVED

2 - Unique identifiers

O.P.S. Supervisor Maria E. Olvera, Star# 124

Summary Digest Report prepared by Inv. A. Palahniuk, # 245

DATE INITIATED (DATE COMPLAINT WAS
RECEIVED FOR INVESTIGATION)

1 - February 2006

DATE COMPLETED (DATE OF THIS REPORT)

09 June 2006

ELAPSED TIME (TOTAL TIME, EXPRESSED IN DAYS)

112

Investigator will initiate the Command Channel Review
for by completing the Investigator's Section.

INVESTIGATOR'S SIGNATURE

2 - Unique identifiers

CONCLUSION:

The reporting Investigator recommends a finding of **Unfounded** for **Allegations # 1 – 5**, made against Officer Carlos Huertas. Officer Huertas submitted a report and denied the allegations. There is no evidence to corroborate these allegations, In fact, mugshot photographs taken of 1 - Personal Info's face depict no visible injury.